

### **REMARKS**

Applicants respectfully request consideration of this application in light of the claim amendments. Claims 49-64 have been deleted without prejudice. Claims 31-48 are pending. Claims 65-70 have been added. Therefore, claims 31-48 and 65-70 are now presented for examination.

### **Interview Summary**

On August 4, 2009, Examiner Usha Raman and Applicants' representative participated in a telephone conference. Primary Examiner Dominic Saltarelli also attended the conference. Examiner Raman and Applicants' representative discussed claim 31. In the conference, Examiner Raman indicated that an amendment to claim 31 to recite that the viewer characteristic information is available to the viewer at a different entertainment system would likely overcome the rejection of claim 31 over the combined teachings and suggestions of Herz '257 and Herz '195.

### **35 U.S.C. §§102 and 103 Rejections**

Independent Claim 31 is amended to recite "the programming guide server providing the viewer with access to the viewer characteristic information at a different entertainment system." Independent Claim 45 is amended to recite "providing access to the viewer characteristic information to the viewer from the programming guide server at a different entertainment system."

Based on the earlier referenced telephone conference, the independent claims are believed to be allowable over the combined teachings and suggestions of Herz '257 and Herz '195, and accordingly, the rejections are believed to be traversed. The dependent claims are allowable for at least the same reasons as pertain to the independent claims 31 and 45.

### **New Claims**

Claims 65-70 have been added. Support for claims 65-70 can be found in the originally filed specification. Applicants believe that no new matter is added.

New claim 65 recites "a processor to receive a form of identification from the viewer at a second entertainment system and to provide through the communications interface access to the viewer characteristic information to the viewer using the second entertainment system."

Based on the earlier referenced conference, claim 65 is believed to be allowable over the combined teachings and suggestions of Herz '257 and Herz '195. The newly added dependent claims are believed to allowable for at least the same reasons as pertain to claim 65.

### **Conclusion**

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

If the Examiner has any questions, the Examiner is encouraged to contact the undersigned at 703-633-6873. Please charge any shortage of fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-0221 and please credit any excess fees to such account.

Respectfully submitted,

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